

**MINUTES
REGULAR BOARD MEETING
Friday, January 24, 2014
209 South Green Street
Glasgow, KY**

PRESENT: Mark Woodward, D.C., President
Frank Hideg, D.C., Vice President
Terri Byers-Abston, D.C., Secretary
Rodney Casada, D.C., Member
Michael Seibert, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
Ryan Halloran, Assistant Attorney General

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:00 a.m. prevailing time.

ITEM I: MINUTES

A motion was made by Dr. Abston, seconded by Dr. Siebert and passed 5-0 to approve the minutes of the November 22, 2013 board meeting.

ITEM II: FINANCIAL REPORTS

After review of the prepared financial reports for November and December 2013, upon motion made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0, the financial reports were approved as presented.

ITEM III: BOARD OFFICE REPORT

The Board reviewed the Board Office Report and a motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to approve the prepared Letter to Licensees which will be mailed out with all license renewal certificates. Dr. Woodward was nominated to be the FCLB delegate, with Dr. Hideg serving as alternate delegate for the FCLB. For the NBCE, Dr. Hideg was nominated to serve as the delegate and Dr. Woodward as the alternate delegate. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to renew FCLB membership for 2014. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to accept the Board Office report.

ITEM IV: AGENDA AMENDED FOR ATTORNEY AND RESUMED

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 5-0 to amend the agenda to allow Ben Weigel to discuss Administrative Case 13-027. Mr. Weigel discussed the details of the case with the board on behalf of the licensee. A second motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to resume the agenda.

ITEM V: ADMINISTRATIVE CASE #12-016

This case is continued pending further investigation.

ITEM VI: ADMINISTRATIVE CASE #12-021

The Board reviewed information in this case and further contact information for a witness is still to be received.

ITEM VII: ADMINISTRATIVE CASE #12-022

The Board reviewed information in this case and further contact information for a witness is still to be received.

ITEM VIII: ADMINISTRATIVE CASE #12-029

This case is continued pending outcome of the criminal case. It is the understanding of the Board that the criminal trial has taken place. Upon receipt of official documentation of any felony conviction, a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to file an administrative complaint and notice of hearing.

ITEM IX: ADMINISTRATIVE CASE #12-030

This case is ongoing.

ITEM X: ADMINISTRATIVE CASE #12-031

This case is continued pending further investigation.

ITEM XI: ADMINISTRATIVE CASE #12-032

This case is ongoing.

ITEM XII: ADMINISTRATIVE CASE #12-038

This case is ongoing.

ITEM XIII: ADMINISTRATIVE CASE 12-044

This case is continued pending the receipt of additional information.

ITEM XIV: ADMINISTRATIVE CASE 13-001

The Board reviewed a proposed settlement counter offer from the licensee. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to reject the counter offer and proceed with the hearing. Dr. Hideg abstained.

ITEM XV: ADMINISTRATIVE CASE 13-004

This case is continued pending the hearing which has been set for February 18-19, 2014 in Glasgow.

ITEM XVI: ADMINISTRATIVE CASE 13-005

The Board reviewed a proposed settlement counter offer from the licensee. A motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to reject the counter offer and proceed with the hearing. Dr. Hideg abstained.

ITEM XVII: ADMINISTRATIVE CASE 13-009

The Board reviewed the Attorney General's letter regarding the board's statutory authority to enter into a private settlement agreement. Since the letter stated the Board did not have the authority to use private admonishments, a motion was made by Dr. Abston, seconded by Dr. Woodward and passed 5-0 to offer settlement at previous terms with the exception of the settlement being private.

ITEM XVIII: ADMINISTRATIVE CASE 13-013

This case is continued pending a hearing set for May 20-21, 2014.

ITEM XIX: ADMINISTRATIVE CASE 13-017

The Board reviewed a proposed settlement counter offer from the licensee. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to reject the counter offer and proceed with the hearing. Dr. Hideg abstained.

ITEM XX: REVIEW VIOLATED TERMS OF AGREED ORDER
RE: DAVID MEGRONIGLE, D.C. 11-009

The scheduled hearing was continued. This case is now continued pending a hearing scheduled for March 25-26, 2014.

ITEM XXI: ADVERTISING CASE #12A-008

The Board reviewed a proposed settlement counter offer from the licensee. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to reject the counter offer and proceed with the hearing. Dr. Hideg abstained.

ITEM XXII: ADVERTISING CASE #13A-006

A motion was made by Dr. Hideg, seconded by Dr. Seibert and passed 5-0 to file the administrative complaint.

ITEM XXIII: ADMINISTRATIVE CASE 13-024

The Board reviewed the additional information in this case and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to send the case to the Peer Review Committee for review. If the PRC agrees with the Board, a complaint shall be filed.

ITEM XXIV: ADMINISTRATIVE CASE 13-026

The Board reviewed this case and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to dismiss this case if documentation is received from Dr. Copeland to substantiate Dr. Mueller's claims.

ITEM XXV: ADMINISTRATIVE CASE 13-027

The Board reviewed this case and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss this case.

ITEM XXVI: ADMINISTRATIVE CASE 13-028

The Board did not review this case at this time since information is still being received.

ITEM XXVII: ADMINISTRATIVE CASE 14-001

The Board reviewed this case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to dismiss this case.

ITEM XXVIII: ADVERTISING CASE 14A-001

The Board reviewed this advertisement and the licensee's response. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 5-0 to dismiss this case.

ITEM XXIX: MALPRACTICE CASE 13M-003

Dr. Hideg recused himself from this case and abstained from the vote. The Board reviewed the in-

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formation and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss this case.

ITEM XXX: CORRESPONDENCE RE: ONLINE PEER REVIEW

This item was discussed by the Board and more information was requested concerning the sponsorship of the online insurance consultant courses by a chiropractic college.

ITEM XXXI: CORRESPONDENCE FROM BRET KOESTER, D.C.

The Board reviewed information from Dr. Koester regarding a position title used by another chiropractor. The Board did not have enough information to make a decision at this time.

ITEM XXXII: INFORMATION CONCERNING HANDICAPPED PLACARD

No Board action was necessary at this time.

ITEM XXXIII: ADVERTISEMENTS TO REVIEW

The Board reviewed information concerning the Facebook page of a chiropractic office. It was determined to have violations of the right of rescission and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to offer the standard settlement agreement to each licensee for first violation of the right of rescission.

ITEM XXXIV: REGULATIONS

The Board reviewed information and regulations from other states which require a bachelor degree prior to licensure. The Executive Director will draft a regulation change to require a bachelor degree for the Board to review at its next meeting.

ITEM XXXV: FIELD COORDINATOR REPORT

Dr. Hideg continues to conduct field office visits as he is able between investigations.

ITEM XXXVI: CORRESPONDENCE FROM SCOTT ZACK, D.C.
RE: JURISPRUDENCE HARDSHIP

The Board reviewed correspondence from Dr. Zack who was asking for a Jurisprudence hardship. A motion was made by Dr. Hideg, seconded by Dr. Seibert and passed 5-0 to inform Dr. Zack that he must provide a valid notarized hardship request as required by law. If he cannot provide the necessary documentation, the Board would offer him settlement of the violation through an Agreed Order with a fine and arranged Jurisprudence course date prior to revocation of his license.

ITEM XXXVII: CORRESPONDENCE FROM DEAN TINDALL, D.C.
RE: PEER REVIEW

This item was tabled from the November 22, 2013, Board meeting. The Board reviewed Dr. Tindall's questions and authorized board staff to let Dr. Tindall know that the Board had not adopted any practice guidelines and that the new peer review regulations would address most of his other concerns.

ITEM XXXVIII: CONSIDER INTERNATIONAL EDUCATION

The Board reviewed transcripts from international colleges. A motion was made by Dr. Seibert, seconded by Dr. Hideg and passed 5-0 to have the Executive Director research if the colleges attended were accredited or recognized by the United States Department of Education. If not, the applicant does not qualify for licensure in Kentucky.

ITEM XXXIX: REVIEW LRC SUGGESTED REGULATION AMENDMENTS

The Board reviewed suggested amendments from the Legislative Research Commission on the following regulations: 201 KAR 21:001, 21:015, 21:041, 21:042, 21:051, 21:053, 21:065, 21:075 and 21:085. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 5-0 to accept the suggested amendments and provide the additional references to LRC to be included in the regulations.

ITEM XL: SET FUTURE BOARD MEETING DATES AND JURISPRUDENCE

The Board considered dates and set board meetings for June 6 and September 12, 2014 in Glasgow. They also set a Jurisprudence course for September 13, 2014 in Glasgow.

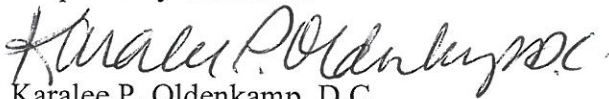
ITEM XLI: TRAVEL AND PER DIEM

A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 5-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XLII: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Abston, seconded by Dr. Hideg and passed 5-0, the meeting was adjourned.

Respectfully submitted:



Karalee P. Oldenkamp, D.C.
Executive Director

ATTESTED:



Mark Woodward, D.C.
President